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PATENT
Attorney Docket No. 056285-5001

DEP & REF
Room 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#2 / Reg for
Refund

In re application of:

Daesig KIM

Serial No.: 10/084,335

Filed: February 28, 2002

For: APPARATUS AND METHOD FOR
SUPPLYING CESIUM

US PATENT & TRADEMARK
OFFICE

Group Art Unit: 2881

Examiner: Not Assigned

03-07-02

Commissioner of Patents
Washington, D.C. 20231

ATTN: Refund Section, Accounting Division,
Office of Finance

Sir:

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

In filing the above-identified patent application, which was filed in the United States Patent and Trademark Office on February 28, 2002, Applicant inadvertently omitted information regarding its small entity status and overpaid the Filing Fee. As a small entity, Applicant is only required to pay \$370.00 (an amended transmittal letter is attached claiming small entity). However, Applicant paid \$740.00. Applicant requests a refund in the amount of \$370.00 pursuant to 37 C.F.R. § 1.26. Please issue the refund to this firm of attorneys and indicate on the check our case reference 056285-5001 US. Thank you for your prompt attention to this matter.

Respectfully submitted,

Mary Jane Boswell
Reg. No. 33,652

Date: April 17, 2002

CUSTOMER NO. 009629
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PATENT
ATTORNEY DOCKET NO.: 056285-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

**AMENDED TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventor: Daesig KIM

For: **APPARATUS AND METHOD FOR SUPPLYING CESIUM**

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.

2. The papers enclosed to obtain a filing date are as follows:

<u>22</u>	Pages of Specification including
<u>1</u>	Title Page
<u>4</u>	Pages of Claims
<u>1</u>	Page of Abstract
<u>2</u>	Sheets of drawings containing <u>3</u> figures

☐ The enclosed drawings are photographs, and there is also attached a
PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney

☐ Enclosed and is executed by all inventors
☒ Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of
the time set for filing the Declaration and paying the filing fees.

4. Language

☒ English☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

☒ An assignment of the invention to Filteray Fiber Optics, Inc., has already been submitted.

☐ An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☒ Priority of the following foreign application is claimed:

Country	Application No.	Filed
Korea	2002-0000448	January 4, 2002

Certified copy: ☒ is attached. ☐ will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☐ Priority of the following provisional application(s) is claimed:

Application No.	Filed

A. Relate Back - 35 U.S.C. §119(e)

☐ Amend the specification by inserting before the first line the sentence:
"This application claims priority of copending provisional application(s)
No. _____ filed on _____."

8. Small entity status

☒ Small entity status under 37 C.F.R. §1.27 is asserted for the present application.

9. Fee Calculation (37 C.F.R. §1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$740.00 Design \$330.00
Total Claims (37 C.F.R. §1.16(c))	14 - 20 =		18.00	\$0.00
Independent Claims (37 C.F.R. §1.16(b))	2 - 3 =		84.00	\$0.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			280.00	
SUB-TOTAL =				\$740.00
Reduction by 1/2 for filing by a small entity				\$370.00
TOTAL FILING FEE =				\$370.00

10. Fee Payment

☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☐ Enclosed.

Please charge Deposit Account No. 50-0310 in the amount of \$_____, representing the filing fee of \$_____ and an assignment recording fee of \$_____.

☒ Not Enclosed.

On February 28, 2002, we gave permission to charge Deposit Account No. 50-0310 for filing fees.

11. ☒ Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).
12. Additional papers enclosed:
- ☐ Preliminary Amendment
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, ___ documents included
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Mary Jane Boswell

Reg. No. 33,652

Dated: April 17, 2002
Customer No. 009629
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